

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

MYRNA I. JOHNSON,

Plaintiff,

v.

FRED MEYER STORES, INC., a
Delaware corporation; and JAIME SAN
MIGUEL,

Defendants.

Case No. 1J-04-008-CV (RRB)

**[PROPOSED] ORDER DISMISSING
INDIVIDUAL DEFENDANT JAIME SAN MIGUEL**

This matter came before the Court on the motion of Jaime San Miguel to dismiss him as an individual defendant with regard to plaintiff's remaining claim of an alleged breach of the implied covenant of good faith and fair dealing. Plaintiff does not oppose the motion.

The sole remaining claim by plaintiff is an alleged breach of the implied covenant of good faith and fair dealing as a breach of contract. Individual defendant Jaime San Miguel is not a party to the employment contract between plaintiff Myrna Johnson and her employer, Fred Meyer Stores, Inc. Accordingly, the claim of

wrongful discharge against Mr. San Miguel for breach of the implied covenant of good faith and fair dealing on a contract basis is hereby dismissed with prejudice.

DATED this _____ day of _____, 2008.

Ralph R. Beistline
United States District Judge